

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-4, 6 and 10-16 are now present in the application. Claims 1, 6 and 10 have been amended. Claim 16 has been added. Claims 5 and 7-9 have been cancelled. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

Reasons For Entry Of Amendments

As discussed in greater detail hereinafter, Applicants respectfully submit that the rejections under 35 U.S.C. §§ 102 and 103 are improper and should immediately be withdrawn. Accordingly, the finality of the Final Office Action mailed on November 23, 2004 should be withdrawn.

In accordance with the requirements of 37 C.F.R. §1.116, Applicants respectfully request entry and consideration of the foregoing amendments as they should over come the rejections and therefore remove the issues for Appeal. Nonetheless, such an Appeal should be unnecessary since this application should be in condition for allowance.

Allowable Subject Matter

The Examiner has indicated that dependent claims 9 and 10 would be allowable if rewritten or amended to include all of the limitations of the base claim and any intervening claims. Applicants greatly appreciate the indication of

allowable subject matter by the Examiner. As will be explained below, all claims now in the application should be in condition for allowance.

Claim Rejections Under 35 U.S.C. §§ 102 & 103

Claims 1, 2, 4, 6, 7 and 12-15 stand rejected under 35 U.S.C. § 102(a) & (e) as being anticipated by Takeda, U.S. Patent No. 6,491,593. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeda. Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeda in view of Chen, U.S. Patent No. 5,743,813. These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. As the Examiner will note, independent claim 1 has been amended to include the subject matter of dependent claim 9, which was indicated by the Examiner as including allowable subject matter. Accordingly, it is believed that claim 1 and its dependent claims are in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§102 and 103 are respectfully requested.

Additional Claim

Additional claim 16 has been added for the Examiner's consideration. Applicants respectfully submit that claim 16 is allowable due to its dependence

on independent claim 1, as well as due to the additional recitation included in this claim. Favorable consideration and allowance of additional claim 16 are respectfully requested.

CONCLUSION

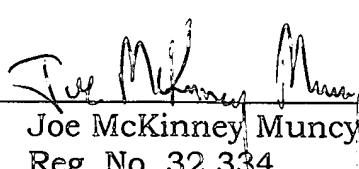
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 
Joe McKinney Muncy
Reg. No. 32,334

KM/GH/mmi
3624-0127P

63

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000